

MINUTES

NATURAL RESOURCES COMMISSION

SEPTEMBER 13, 2007

LANSING CENTER
333 E. MICHIGAN
LANSING

PRESENT FOR THE NRC

Keith Charters, Chair
Mary Brown
Darnell Earley
J. R. Richardson

PRESENT FOR STAFF

Peter Manning, Legal Counsel
Rebecca Humphries, Director
Dennis Fox, Chief of Staff
James Ekdahl, UP Field Deputy
Mindy Koch, Resource Management Deputy
Other DNR Staff

COMMITTEE OF THE WHOLE

Chairman Charters called the Committee of the Whole meeting of the Natural Resources Commission (NRC) to order at 3:04 p.m.

RISK ASSESSMENT ON CHRONIC WASTING DISEASE (CWD)

Dr. Steve Schmitt, Veterinarian, Department of Natural Resources (DNR) reported that, by 2003, CWD had become such a concern in Michigan that Governor Jennifer Granholm established a CWD Task Force. This Task Force had the charge of developing recommendations to protect Michigan from allowing CWD to come into the State. In addition, the Michigan Departments of Agriculture and Natural Resources contracted the Centre for Coastal Health to develop a report assessing the State of Michigan's CWD risk management programs, policies and practices. **Dr. Julie Decroq, Centre for Coastal Health in British Columbia**, presented the draft Final Report, "A Systematic Review of Michigan's Policy for CWD Prevention, Detection and Control." This report examined Michigan's CWD strategy to see if it was appropriate for its current level of CWD risk and consistent with existing standards of practice in North America.

In the report, **Dr. Decroq** concluded that Michigan's CWD preparedness policies and plans are consistent with current opinion and standards of practice seen throughout North America. The four elements of animal health emergency preparedness contains four elements: 1) being able to prevent the entry of a new disease threat; 2) being able to detect and manage a new disease threat; 3) having plans to control and eradicate new threats; and 4) having a system in place to recover from the impacts of new diseases.

Dr. Decrocq recommended the following to enhance capacity for CWD exclusion:

- 1) Michigan should partner with neighboring jurisdictions to develop a regional CWD strategy to provide for consistent and reliable surveillance and control strategies across the region; a regional early warning system; and agreements to share resources or personnel to combat an incursion in any area within the region.
- 2) Michigan needs to adapt and employ criteria that have been used to declare other jurisdictions free of disease.
- 3) Because of the risk of hunter importation of specific risk materials (SRM) or carcass parts contaminated when removing SRM, hunter education on proper field dressing may be warranted.
- 4) Michigan must stay on top of current scientific advances that can better define what must be considered an SRM for CWD.
- 5) The State, in collaboration with industry and other stakeholders, should develop a consensus on the level of risk at which they will allow imports of animals or the nature of risk mitigation strategies that might allow future importations.
- 6) Michigan must assume imperfect capacity to exclude CWD and continue to refine, support and evaluate planning for early detection and response to the disease.
- 7) It would be prudent for Michigan to ban feeding and baiting statewide before CWD is detected in the state.

She proceeded to review recommendations to maintain and/or improve early detection capacity as well as recommendations to improve Michigan's ability to limit the spread of CWD. The take home message was it is better to prevent CWD from entering the state, than it is to try and manage the disease once it becomes established.

Dr. Schmitt said that some of the recommendations can be addressed easily. Addressing the issue on a regional basis will be more difficult. Limiting feeding and baiting will also be very difficult to address. **Dr. Decrocq** noted that the human dimension is the difficult issue. Discussion ensued regarding authorities.

Chairman Charters asked if, when deer are being tested for bovine tuberculosis, are they also tested for CWD? **Dr. Schmitt** replied yes. **Chairman Charters** then asked if found positive for CWD, was there a plan of action in place to address it? **Dr. Schmitt** responded yes.

Discussion ensued. The final report will be available soon.

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The Committee of the Whole meeting adjourned at 3:45 p.m.

CLOSED SESSION

The NRC went into Closed Session from 3:53 p.m. to 4:47 p.m. to discuss litigation and confidential treaty issues.

The Regular Meeting of the NRC convened at 4:50 p.m.

PUBLIC APPEARANCES

Jim Maturen, Michigan Wild Turkey Hunters Association, the Pigeon River Country State Forest (PRCSF) was the most unique public forests in the world and of which a approximately 65 percent was purchased with hunting and fishing dollars. He noted that the Association submitted comments on the Concept of Management suggesting the Concept of Management needs to be changed to address some of the issues outlined in those comments. He believes that special interests have taken over the PRCSF, specifically horse riders. He recommended that horses be eliminated from using the PRCSF, or at the very least, assign certain trails they must stay on. He believes there is no control in the PRCSF on commercial guides and outfitters. Another concern is the loss of wildlife openings having lost 2000 acres since 1988 and have gained 2000 acres of red pine creating a "biological desert" once mature. He believes there is a considerable decrease in management of existing openings resulting in less elk, deer, wild turkeys and other related wildlife within the core are of the PRCSF. He believes there is a problem with the lack of snowmobile use management. He stated that the PRCSF Concept of Management, as written, is not worth the paper it is written on. One reason is that the pages are full of "should be's" rather than "shall be's." He urged the NRC not to accept the PRCSF Concept of Management as proposed.

He stated that the membership on the committees established to develop the PRCSF Concept of Management were not adequate to address the problems in the area.

Commissioner Brown asked what is single most important issue to be resolved? **Mr. Maturen** said there really isn't just one issue. There are a number of issues compromising the wildness of the PRCSF as the last wild area remaining in the northern Lower Peninsula. Believes have allowed too much recreation on the land.

Chairman Charters asked if the red pine was a natural occurrence, or did the DNR plant it? **Mr. Maturen** said that the red pines were planted in wildlife openings by the DNR. **Chairman Charters** asked if a Director's Order on the use of snowmobiles in the back country portion of the PRCSF? **Director Humphries** said not at this time, but the plan is to implement regulations after the Concept of Management is finalized.

Director Humphries stated that the Concept of Management is a working draft with a public comment period closing date of Saturday, September 15. Then the comments received will be incorporated and put on the NRC Agenda for further comment and information in October and action, at the earliest, at the November 8, 2007 NRC meeting.

Bob Jacobson, President, Michigan Conservation Foundation, was a member of the Pigeon River Country State Forest (PRCSF) Steering Committee. He expressed concern with the 2007 revision of the PRCSF Concept of Management. He does not believe some of the committees followed the intent of the Concept's 2005 version of the

objectives of management, particularly on items: 2 – Provide needed habitat and seclusion for diverse fish and wildlife species; 3 – Provide Recreational opportunities for people in keeping with the wild character of the area and to provide peace and quiet through control of disruptive activities; 6 – Manage forest resources in a sustainable manner for desired future habitat conditions; and 8 – Protect the Pigeon River Country from over-use and over-development which would destroy its wild character.

Mr. Jacobson believes many of the Concept of Management updates were made not taking into consideration that the PRCSF was dedicated as a special management area with a citizen's advisory council.

Chairman Charters noted that there will be compromise in subjectivity of the conflict versus consumption. **Commissioner Brown** noted that appropriate use in the appropriate areas is important.

Chairman Charters sincerely thanked those who devoted time and energy to the development of the PRCSF Concept of Management. He said that the goal for the PRCSF is to allow use for all with out over-use.

Bob Strong, former DNR Employee, discussed the history of management of the PRCSF. He suggested that a revision of the existing PRCSF Concept of Management is needed, but believes enforcement of the existing Concept of Management is needed. He believes that overuse of the PRCSF has occurred.

SAFARI CLUB INTERNATIONAL PRESENTATIONS

Director Humphries reported that representatives of the Michigan Involvement Committee of Safari Club International were present to present awards to the 2007 hunters who were timely in their response to the 2006 deer seasons mail survey.

Safari Club International has provided supplemental funding and support to many Wildlife Division programs. Its support of research on moose, bear, bobcat, wolves, and deer has been instrumental in advancing our understanding of wildlife so that wildlife management is firmly grounded in scientific information. The Committee has also helped provide incentives to encourage the timely collection of hunter harvest and effort information.

To qualify for these incentives, a hunter had to respond to the mail survey within two weeks. The winner was randomly drawn from the group of those eligible. As a result of the incentive program, hunters responded sooner and the Wildlife Division was able to save time and money in the collection of this valuable information.

Director Humphries thank the Michigan Chapters of Safari Club International for its support of the Wildlife Division's programs. She then introduced Mr. Bob Taylor, chairman of the Michigan Involvement Committee, to make presentations. The Remington rifle was awarded to Jack May; the muzzleloader to Richard Hansen; and the bow to Richard Dean.

FAREWELL TO DR. WILLIAM MORITZ, WILDLIFE DIVISION CHIEF

Director Humphries said it is with mixed emotions that the Commission and she offer Bill Moritz farewell, but wished him well in his new career as Director of Conservation with the Safari Club International.

Dr. Moritz has been with the DNR since 1993, and he has been generous with his selfless dedication to Michigan's natural resources and service to the DNR. He has demonstrated sincerity and integrity while dealing with many constituents, oftentimes in the face of great controversy. His collaborative approach to sound science and decision-making are assets that will be profoundly missed. **Dr. Moritz** was presented a white pine plaque acknowledging his career with the DNR.

PUBLIC APPEARANCES (continued)

John Bebol, private citizens and property owner in Crawford County owns property near a proposed amusement center in Crawford County. He opposes such an amusement park being developed and said he will do everything he can to avoid it happening.

Marvin Roberson, Michigan Sierra Club, opposed the development of the proposed amusement park in Crawford County. He also expressed concern that the State will sell the property and that the purchaser may develop the property in a manner contrary to "natural uses."

APPROVAL OF MINUTES – AUGUST 16, 2007 NATURAL RESOURCES COMMISSION MEETING

Commissioner Brown made a motion, supported by Commissioner Richardson, for approval. Motion unanimously carried.

2008 SCHEDULE

The following dates for the 2008 NRC Meetings was proposed:

January 10	Lansing Center
February 7	Location undetermined
March 6	Lansing Center
April 10	Location undetermined
May 8	Lansing Center
June 5	Lansing Center
July 10	Commissioner Madigan requested Munising
August 14	Lansing Center
September 11	Lansing Center
October 9	Lansing Center
November 6	Lansing Center
December 4	Lansing Center

Commissioner Earley made a motion, supported by Commissioner Brown, for approval. Motion unanimously carried.

DIRECTOR ACTION ITEMS

Commissioner Brown recommended that a careful review is done on the conservation easements to assure that there appropriate forest management access to the properties and that be added to the plan. Regarding the leases and construction allowed be specific. **David Freed, Chief, Office of Land and Facilities**, stated that the restricted development parcels have not all been identified but will be identified in the future by the owner, The Forest Land Group. He said this was a very complicated negotiation involving several entities. There are building restrictions, but will be identified in the future. **Commissioner Browns** concern is that the resource be adequately protected for the intent of the purchase. **Ed Meadows** said that some of the easements will be governed by the Federal Forest Legacy Program. Those areas were identified by their significant ecological and recreational values and the protection of the existing snowmobile trail networks. **Chairman Charters** agreed with **Commissioner Brown's** concerns. **David Freed** said he believes the DNR will have influence in the decision making matters, and agreed that the DNR must be diligent in protection ownership rights.

Director Humphries stated her intent to sign all of the Director's Action items on the Agenda.

COMMITTEE REPORTS

See the attached Minutes for the NRC Policy Committee on Land Management and the NRC Policy Committee on Wildlife and Fisheries

COMMISSIONER REPORTS

Commissioner Earley said he would not be present at the October 11, 2007 NRC meeting as he would be traveling to Japan in a work capacity.

Chairman Charters wished everyone luck in their upcoming hunting seasons.

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The meeting adjourned at 6:00 p.m.

**NRC Policy Committee on Land Management
Meeting Minutes
September 13, 2007
12:30 p.m.**

Present:

Commissioner Keith Charters, Chair
Commissioner Frank Wheatlake
Commissioner J.R. Richardson
Commissioner John Madigan
Commissioner Mary Brown
Commissioner Darnell Earley
Director Rebecca Humphries
Resource Management Deputy Mindy Koch
Dennis Fox, DNR
Dave Freed, DNR, OLAF
Lynne Boyd, DNR, FMFM
Donna LaCourt, FMFM
Bill Moritz, DNR, WLD
Doug Reeves, DNR, Wildlife
Jim Wood, DNR, Grants Management
Kelley Smith, DNR, Fisheries
Pat Stewart, DNR, Communications
Dan Eichinger, Acting Legislative Liaison, DNR
Jim Raddabaugh, DNR, FMFM
Annamarie Bauer, DNR, FMFM
David Price, DNR, FMFM
Steve DeBrabander, DNR, FMFM
Steve Sutton, DNR, Fisheries
Kurt Newman, DNR, Fisheries
Jon Mayes, DNR, OLAF
Cindy Salmon, DNR, OLAF
Kelly Siciliano Carter, DNR, Wildlife
Mike Bailey, DNR, Wildlife
Jim Richardson
Tom Barnes, MI Assoc. of Timbermen
Bill Manson, MI Snowmobile Assoc.
Shaun Hagan, The Forestland Group
Peter Gustafson, Pigeon River Country Advisory Council
Bob Jacobson, MI Conservation Foundation
Sheila Jacobson, MI Conservation Foundation
Jim Maturen, MI Wild Turkey Hunters Assoc.
Orv Olson, MI Snowmobile Assoc.
Bill Lucas, MI Snowmobile Assoc.
David Adams, Charlotte, MI
John Legge, The Nature Conservancy
Don Meixner, MUCC
Rebecca Park, MI Farm Bureau
George Berghorn, MI Forest Products Council
Warren Suchovsky, Citizen
Jerry Crandall, MIRS

Chairman Keith Charters called the meeting to order at 12:35 p.m.

1. Snowmobile Trails Update

Jim Radabaugh, Forest, Mineral and Fire Management Division, provided background on the Recreational Trails Program Advisory Board. The Board has been clarifying the eligibility process to receive grants. He asked the Snowmobile Advisory Committee (SAC) to solicit the grant sponsors for issues they would like addressed. As a result they issued an addendum to the 07-08 handbook that recently was published. Program grant for groomers is \$150,000 and drags are \$15,000. They are striving for more competitive prices for equipment under the state contract.

Bill Manson, Michigan Snowmobile Association (MSA), said snowmobile groups need to be reimbursed for expenditures. Because of forest certification, there are a lot more rules that snowmobile groups have to deal with, and this drives up the cost. They have a problem with some of the language that was required by the auditors, but they can live with the contract.

Chairman Charters said the reason this is on the agenda is because he, **Commissioner Madigan, and Commissioner Wheatlake** met with snowmobile clubs in St. Ignace dealing with the original handbook. **Bill Manson** said we can work out the issues with the Board. Volunteers are getting most of their expenses paid for, but not all. **Chairman Charters** had pages of comments that were e-mailed to him. **Bill Manson** said not everyone has the contract yet. He believes the trails will be groomed, and the contracts will be signed by the majority of the groups.

Commissioner Madigan said he would be happy to attend one of the MSA meetings. **Orv Olson** from the SAC said he had ten questions at the last meeting that weren't clearly addressed. The Office of Land and Facilities has increased their cost by 400 percent, and he was told it was cost allocation process. The amount allocated for grants are adjusted when fees are increased. Cost allocation will eliminate the benefit of any fee increase. The snowmobile program generates about \$1.6 billion per year. It has been said that if fees are not increased, the program will have to be cut back. With that kind of revenue generation, he ask why would there be a cut-back? **Chairman Charters** asked **Orv Olson** to get specific questions to **Jim Radabaugh** and he will get definitive answers.

Deputy Koch asked **Jim Radabaugh** to make sure there is appropriate dialog and to involve the budget staff, not just send numbers back.

2. State Forest Management Plan Update: Review of Management Area Concept

David Price did a PowerPoint presentation. **Donna LaCourt**, State Forester, also assisted. Two handouts were provided.

Issue 1 – The Forest Stewardship Council now requires written direction be issued to the Ecoteams to enable a practical means of adding detail to our Regional State Forest Management Plans.

Issue 2 – All of the decisions that the Statewide Council has made over the past year regarding the conduct of regional planning needs to be formalized as new written guidance.

The Statewide Council has endorsed the following actions:

Action 1 – develop two type of plans for each of the four ecoregions; Regional State Forest Management Plans to provide direction for management of the State Forest, and Ecoregional Resource Plans to address all public ownerships in a region including forests, parks, and wildlife areas.

Action 2 - Classify the State Forest into distinct management areas providing landscape level analyses and direction that will guide decisions at the management unit level, through the existing compartment review process.

Action 3 - Analyze and select State Forest lands for assignment to specific management areas by using selection criteria including:

Ownership

- a. Adjacency to other ownerships
- b. Percentage of the landscape in different public and private ownerships
- c. Consideration of ownership size and connectivity
- d. Areas with existing DNR management plans

Social/Economic

- a. Proximity to wood product markets
- b. Proximity to population areas and transportation arteries
- c. Trends in recreation demands
- d. Proximity to know historical/cultural sites

Ecological

- a. Similar site potential as expressed by habitat type
- b. Historic vegetative composition
- c. Current vegetative structure and composition
- d. Wildlife species distribution patterns for select species, defined by the Wildlife Action Plan
- e. Proximity to know ecologically sensitive sites
- f. Existing forest connectivity or fragmentation
- g. Analyses of climate, bedrock, glacial landform, and soils in Ecological Classification Systems

Action 4 – Seek public review of the proposed selection criteria. We are doing this by direct mailings, press releases, and the DNR website. A presentation was made to the Forest Management Advisory Committee, and the NRC. The comment period runs 60 days, and ends on October 7, 2007.

Action 5 – Formalize these concepts of ecoregional planning in a revision to Forest Certification Work Instruction 1.3.

Action 6 – The Statewide Council has endorsed the codifying of Work Instruction 1.3 as an update to DNR Policy and Procedure 32.22-07.

Danaher-Kingston Outwash Management Area was used as an example (handout provided).

The internal DNR ecoteams are responsible for creating these plans.

After management area boundaries are created, there will be public review. There will be a plan created for each of the four ecoregional areas; East UP, West UP, Northern LP, and Southern LP.

Commissioner Madigan asked about stump fields in the Danaher-Kingston Outwash Management Area. Staff felt these were historical artifacts dating back to logging. The commissioner asked what was planned for these stump fields. **David Price** said it would have to be worked out through the planning process.

Deputy Koch clarified that setting goals at that level will occur during the planning process.

Commissioner Brown asked what will happen once the plans are completed. So often she hears complaints that plans are created but nothing happens. **Dave Price** responded that this will be required through the Forest Certification process. **Commissioner Richardson** said there should be a plan in place to streamline the process. **Dave Price** said these plans will greatly aid in the process. We will review the plans every five years, in response to **Chairman Charters**.

Jim De Clerck asked if the DNR could change that plan before five years, and would those who put the plan together in the first place and the public be involved.

Deputy Koch noted that we are working on improving our public input process. Maureen McDonough has been working with us on public involvement programs. **Deputy Koch** agreed that we can't just make change without going back to those groups.

Commissioner Madigan is happy that a *balanced age class* made it in to the review process.

Shaun Hagen, Forestland Group, asked that the DNR consider legal and operational access. This will help in determining management need.

Bob Jacobson asked if once you establish which lands go to which areas, will it be less than ten years before you look at it again, or more. **Dave Price** said the intent is to adhere to a ten-year cycle. **Jacobson** feels 10 years is too long.

Commissioner Charters said you have to give a plan a chance to work – he heard **Price** say they will be looking at the plans on an ongoing basis, but the maximum amount of time would be 10 years.

3. Pigeon River Concept of Management Update
Deputy Koch clarified that the basic information has not changed.

Annamarie Bauer described what has transpired regarding public input since the June 7 meeting. July 2, the e-mail comments period opened. On July 16, the plan was posted to the DNR website. Public comment is open through September 15. July 8 was the Pigeon River Country Association meeting which DNR was invited to. There were 27 people in attendance. The DNR gave an overview of the concept and answered questions and requested that all comments on the plan be provided in writing. Hard copies of the plan were distributed as requested. On July 26 a press release went out giving notice of the Open House. Thirty-five stakeholders were e-mailed followed by mailed invitations.

On August 13 an Open House at the Pigeon River Headquarters was held with 38 were in attendance.

On September 12, the DNR forwarded comments to the sub-committees. The Department of Information Technology (DIT) assisted in setting up an electronic comment area on the web. 49 people have responded this way, and seven have responded by mail. Comment categories include aquatic resources, forest and habitat, recreational law enforcement, utilities and alternative energy, oil and gas, and private land ownership. Another update will be presented to the NRC in October, and on November 8 the final draft recommendations will be before the NRC for Director action.

Doug Reeves discussed specific comments. He thanked those people who have worked so hard on this effort. Comments came from Canada, as well as the surrounding states.

Commissioner Madigan asked **Ann** how long it took to develop the online survey. She stated that it went very quick with the assistance of DIT.

Chairman Charters noted it is up for information only in October, and first possible Director action is the November meeting.

Annamarie Bauer said they have scanned all the responses so that they can be provided to the sub-committee in their entirety. The Director and all the commissioners will receive a complete copy also.

Chairman Charters adjourned the meeting at 1:45 p.m.

**NRC Policy Committee on Wildlife and Fisheries
Meeting Minutes
September 13, 2007
2:15 p.m.**

Meeting convened at 2:17 p.m.

Commissioners Darnell Earley and Keith Charters were present for the Committee. Commissioners Mary Brown and J.R. Richardson, and were also present.

Todd Grishke, Fisheries Division, presented a brief overview of the fish regulations that are coming before the Director in the upcoming months. There are a total of 12 orders that are either changing or being renewed. The fishing guide, again, will be printed yearly.

Kurt Newman, Fisheries Division, provided an update on Lake St. Clair Fishing. The 2006 highlights from the fish survey included a high number of Master Angler awards for muskie and smallmouth bass. The survey also indicated there are high numbers of rock bass, freshwater drum, smallmouth bass, and trophy channel catfish. Charter boat harvest is up substantially for yellow perch and walleye. The 2007 forecast shows yellow perch should be the same as 2006; walleye numbers are down but size is up; and muskie and smallmouth bass are stable. Lake Sturgeon is a growing sport fishery in this area. Studies show high survival rates and average length is 44.8 inches. Ages of Lake Sturgeon ranged from 3 to 44 years old.

Bill Moritz, Wildlife Division, presented a brief summary of the 2007 elk hunt season. The early season was August 25-29, 2007. There were 55 permits available (40 antlerless, 15 any elk). Fifty-four hunters actually partook in the event. Of those 54, they harvested 9 bulls, 20 cows, and 1 calf (female). No multiple kills or known violations occurred. The hunt resumes September 15-18, 2007.

The meeting adjourned at 2:45 p.m.